



**Tony Evers, Governor**  
**Dawn Crim, Secretary**

March 16, 2021

Nick Fuchs, Planner & Community Development Director  
City of Pewaukee  
W240 N3065 Pewaukee Road  
Pewaukee, WI 53072  
[fuchs@pewaukee.wi.us](mailto:fuchs@pewaukee.wi.us)

**VIA EMAIL**

Re: City of Pewaukee Jurisdiction Request for Commercial Building Plan Review and Inspections

Dear Nick Fuchs,

I am pleased to inform you that your municipality has been delegated commercial building code enforcement authority per your request. Per Wis. Stat. § 101.12(3g), I delegate your municipality the primary responsibility to do plan review of all size buildings and inspections of all size buildings in lieu of the Department. Building plans for such buildings may be submitted by the owner to your municipality or our agency. This delegation does not include fire sprinkler or fire alarm delegation, which you have requested as a separate delegation.

An exception to this delegation is that our agency retains jurisdiction for plan review of all state-owned buildings, as well as projects for which the owner chooses to submit plans to our agency.

Please note that the delegation in this letter supersedes any previous commercial building delegation.

As a condition of the delegation, you are required to comply with the following:

- Submit to the department the fees specified in Wis. Admin. Code § SPS 302.31(1)(h) for all projects.
- Provide a monthly report to the Department for all projects completed under this Section, in an electronic-based format.
- Provide the Department with a copy of any revisions to the ordinance adopting this code.
- Apply the corresponding requirements in Wis. Admin. Code §§ SPS 361.60 (5)(d)-(h), and (6).
- Notify the department, in writing, immediately of any personnel changes to plan review or inspection staff.
- Notify the Department, in writing, at least 30 days prior to the date upon which the appointed agent intends to relinquish the responsibilities assumed under this section.

The Department will periodically monitor municipalities and request activity reports to ensure that the delegated responsibilities are being properly fulfilled by the municipality. We do require that delegated municipal code officials hold the Wisconsin Commercial Building Inspector certification, or the Fire Detection, Prevention, and Suppression Inspector if applicable, and attend agency-approved continuing education to maintain their certification.

In accordance with 2017 Wisconsin Act 198, the Department will be implementing a five-year electronic renewal process. Please continue to monitor department correspondence as further details regarding this process are communicated.

If your municipality decides to relinquish jurisdiction, please follow the provisions of Wis. Admin. Code § SPS 361.60(2)(b)4 by providing the Department with a 30-day notice prior to the day upon which your municipality intends to relinquish jurisdiction.

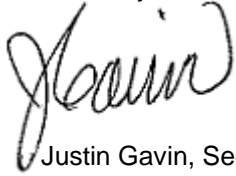
I understand that the primary enforcement contact for your municipality, Kevin Bierce, has the proper certification to do so. I also understand that DA Mattox, with E-Plan Exam, is the primary licensed engineer responsible for plan review.

For your convenience, I am providing a link to the Department's Delegated Agent Welcome Packet. This packet contains links to the Wisconsin Administrative Code, plan review application, submission and inspection checklists, sample letters, petition for variance application, and a list of FAQs that may be helpful in your new delegated agent role. <https://dsps.wi.gov/Documents/Programs/CommercialBuildings/WelcomePacket2020.pdf>

Our commercial building inspector for your area, John Gibbs, at (414) 852-3694, is available to assist in any questions or concerns your municipality may have with implementing these commercial building services and may contact your primary code official to discuss transitional and coordination items.

The Division of Industry Services looks forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Justin Gavin".

Justin Gavin, Section Chief, Integrated Services

*Lucas Dederich*

Lucas Dederich, Section Chief, Field Operations

cc: Garry Krause, Bureau Director, Technical Services Bureau  
John Gibbs, Commercial Building Inspector, Field Services Bureau